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 Citimortgage, Inc.

**IN THE UNITED STATES DISTRICT COURT
 IN AND FOR THE DISTRICT OF NEVADA**

NANSI IGNACIO,

Plaintiff,

vs.

CITIMORTGAGE, INC.

Defendant.

Case No. 08-CV-00711-JCM-RJJ

**ORDER ON DEFENDANT'S
 MOTION TO DISMISS**

This matter having come before the Court on the 7th day of October, 2008 at 1:30 p.m., the Defendant appearing by and through its' attorney of record, R. Samuel Ehlers, Esq. of the The Cooper Castle Law Firm, and Plaintiff not appearing at the hearing and the Court having heard and considered all papers and pleadings on file herein;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendant's Motion to Dismiss is hereby granted and that this case is dismissed with prejudice.

IT IS FURTHER ORDERED that Plaintiff was provided all loan documents necessary and had no right to rescind or cancel the loan unilaterally as the subject property is Ms. Ignacio's second residence.

IT IS FURTHER ORDERED that no violations of RESPA or TILA occurred as the subject property at issue in this case was Plaintiff's second residence and not a primary residence and that Plaintiff agreed to all charges pursuant to the loan documents.

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1 IT IS FURTHER ORDERED that Defendant or Defendant's assigns may proceed with
2 the trustees sale on the subject property.

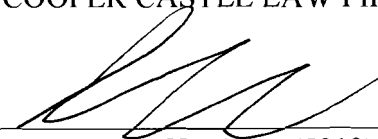
3 IT IS FURTHER ORDERED that Plaintiff's Ex Parte Motion for a Temporary
4 Restraining Order is found to be Moot as the Motion to Dismiss is granted and this case is
5 closed.

6 Dated this 9th day of October, 2008.

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9 U.S. DISTRICT COURT JUDGE

10 Submitted by:

11 THE COOPER CASTLE LAW FIRM, LLP

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13 _____
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